

2009 DRAFTING REQUEST**Bill**Received: **10/20/2008**Received By: **jkuesel**Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 6-5878**By/Representing: **Dombrowski**This file may be shown to any legislator: **NO**Drafter: **jkuesel**

May Contact:

Addl. Drafters:

Subject: **Elections - miscellaneous**

Extra Copies:

Submit via email: **NO****Pre Topic:**

DOA:.....Dombrowski, BB0181 -

Topic:

State reimbursement for polling costs; GAB general program operations

Instructions:

Per attached, 10/17/08.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 10/22/2008	csicilia 10/28/2008		_____			State
/1			phenry 10/28/2008	_____	sbasford 10/28/2008		State
/2	jkuesel 01/20/2009	csicilia 01/21/2009	jfrantze 01/21/2009	_____	sbasford 01/21/2009		State
/3	jkuesel 01/23/2009	nnatzke 01/26/2009	rschluet 01/26/2009	_____	mbarman 01/26/2009		State
/4	jkuesel 01/28/2009	csicilia 01/28/2009	phenry 01/28/2009	_____	lparisi 01/28/2009		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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			phenry	_____	lparisi		
			01/28/2009	_____	01/28/2009		

/5	jkuesel	csicilia	phenry	_____	lparisi		
	01/29/2009	01/29/2009	01/29/2009	_____	01/29/2009		

FE Sent For:

<END>

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State reimbursement for election-related costs

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Per attached, 10/17/08.

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/1			phenry 10/28/2008		shasford 10/28/2008		State
/2	jkuesel 01/20/2009	csicilia 01/21/2009	jfrantze 01/21/2009		shasford 01/21/2009		
/3	jkuesel 1/23/09	1/3 nwn 1/23					

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/1			phenry 10/28/2008	_____	sbasford 10/28/2008		State
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<END>

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DOA:.....Dombrowski, BB0181 -

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State reimbursement for extraordinary election-related costs

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/1			phenry 10/28/2008		sbasford 10/28/2008		

FE Sent For:

<END>

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For: Administration-Budget 6-5878

By/Representing: Dombrowski

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1/1	jkuesel 10/22/08	1 10/27/08	10 ph	10 ph/mr			
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FE Sent For:

<END>

2009-11 Budget Bill Statutory Language Drafting Request

- Topic: Election-Related Cost Reimbursement
- Tracking Code: BB0181
- SBO team: GGED
- SBO analyst: Cindy Dombrowski (CD)
 - Phone: 266-5878
 - Email: cynthia.dombrowski@wisconsin.gov
- Agency acronym: GAB
- Agency number: 511
- Priority (Low, Medium, High): Low

Intent:

Under current law [under s.5.68(1)(7)], any municipality that maintains polling hours before 7am of an election day may file a claim for reimbursement with GAB.

Please modify that statute to delete the current law program and replace it with language that would allow any municipality that experiences financial hardship due to natural disasters or extraordinary situations that adversely affect the conduct of elections to file a claim with the board.

Please find the attached page with language the agency has proposed which may help clarify the intent of the change.

We ask that the language (intent) of § 5.68 "Cost of elections"(1)(7) be changed. Currently, § 5.68 (1)(7) reads:

Any municipality that maintained polling hours beginning longer than 7 a.m. prior to April 29, 2006, and that incurs additional costs to adjust its polling hours to begin at 7:00 a.m. at any election held after April 29, 2006, may file a claim with the board for reimbursement of those costs. The claim shall be accompanied by appropriate substantiation of all costs incurred. The board shall audit the claim and, if the board finds that the costs have been incurred by the municipality, and the costs would not have been incurred but for the requirement to open polling places at 7:00 a.m., the board shall reimburse the municipality for those costs. No claim is payable under this subsection unless the claim is filed with the board, together with appropriate substantiation, within 60 days following the date on which the costs are incurred.

We propose that the focus on reimbursing local governmental units remain *but that the intent be changed* to read as follows:

Any municipality that experiences financial hardships as a result of natural disasters or extraordinary situations that adversely affect the conduct of elections, ~~maintained polling hours beginning longer than 7 a.m. prior to April 29, 2006, and that incurs additional costs to adjust its polling hours to begin at 7:00 a.m. at any election held after April 29, 2006,~~ may file a claim with the board for reimbursement assistance with of those costs. The claim shall be accompanied by appropriate substantiation of all costs incurred. The board shall audit the claim and, if the board finds that the costs have been incurred by the municipality, ~~and the costs would not have been incurred but for the requirement to open polling places at 7:00 a.m.,~~ the board may reimburse determine what level of funding is required to reimburse the municipality for those costs and reimburse accordingly. No claim is payable under this subsection unless the claim is filed with the board, together with appropriate substantiation, within 60 days following the date on which the costs are incurred.

Examples of natural disasters or extraordinary situations causing financial hardships that have affected, do affect and will adversely affect the conduct of elections are noted on page three, items #1-5, of the justification for our FY09-11 Biennial Budget, DIN #4003," Change in Scope for Cost reimbursement Program." For your convenience, a copy of this original request and justification is attached.

We trust this additional information/clarification is helpful in assisting you to better understand our request to help ensure the ability of our local elections partners to conduct elections even whenever unforeseen, unexpected and unplanned extraordinary circumstances and/or natural disasters may occur. Please let us know if you require additional information. Thank you.

cc: Kevin J. Kennedy
Director and General Counsel
Government Accountability Board



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0572/2

JTK:s:4:....

Wanted soon

gis

DOA:.....Dombrowski, BB0181 - State reimbursement for extraordinary election-related costs

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

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- 1 AN ACT...; relating to: state reimbursement for extraordinary election-related
2 costs incurred by municipalities?

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Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Currently, any municipality that maintained polling hours beginning later than 7 a.m. prior to April 29, 2006, and that incurs additional costs to adjust its polling hours to begin at 7 a.m. at any election held after April 29, 2006, may be reimbursed for those costs in full by filing a claim with the Government Accountability Board. The board audits the claim and must pay those costs that are appropriately substantiated from a sum sufficient appropriation derived from state general purpose revenues.

This bill discontinues this reimbursement program and substitutes a program whereby any municipality that experiences financial hardship ~~adversely affecting the conduct of an election~~ as a result of a natural disaster or other extraordinary situation may file a claim with the Government Accountability Board requesting financial assistance with the payment of those costs. Under the bill, the board audits the claim and may pay the claim or any portion of the claim that the board finds to be justifiable. The claims are paid from a sum sufficient appropriation derived from state general purpose revenue.

resulting from that situation

adversely affecting the conduct of an election

reimbursement of any election-related

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 5.68 (1) of the statutes is amended to read:

2 5.68 (1) The Except as provided in sub. (7), the cost of acquisition of ballot boxes
3 and voting booths, voting machines or electronic voting systems and regular
4 maintenance thereof shall be borne by the municipalities in which the boxes, booths,
5 machines or systems are used.

History: 1979 c. 260, 311, 355; 1985 a. 304; 1993 a. 399; 1999 a. 182; 2001 a. 16; 2005 a. 333, 451.

6 **SECTION 2.** 5.68 (2) of the statutes is amended to read:

7 5.68 (2) Except as provided in sub. (7) and except as otherwise expressly
8 provided, all costs for ballots, supplies, notices and any other materials necessary in
9 preparing or conducting any election shall be paid for by the county or municipality
10 whose clerk or board of election commissioners is responsible for providing them. If
11 a ballot is prepared for a school, technical college, sewerage or sanitary district, the
12 district shall pay for the cost of the ballot. If no other level of government is involved
13 in a school, technical college, sewerage or sanitary district election, the district shall
14 pay for all costs of the ballots, supplies, notices and other materials. If ballots,
15 supplies, notices or other materials are used for elections within more than one unit
16 of local government, the costs shall be proportionately divided between the units of
17 local government involved in the election. In a 1st class city, all costs otherwise
18 attributable to a school district shall be paid by the city.

History: 1979 c. 260, 311, 355; 1985 a. 304; 1993 a. 399; 1999 a. 182; 2001 a. 16; 2005 a. 333, 451.

19 **SECTION 3.** 5.68 (3) of the statutes is amended to read:

5.68 (3) If Except as provided in sub. (7), if voting machines are used or if an electronic voting system is used in which all candidates and referenda appear on the same ballot, the ballots for all national, state and county offices and for county and state referenda shall be prepared and paid for by the county wherein they are used. If the voting machine or electronic voting system ballot includes a municipal or school, technical college, sewerage or sanitary district ballot, the cost of that portion of the ballot shall be reimbursed to the county or paid for by the municipality or district, except as provided in sub. (7) and except as provided in a 1st class city school district under sub. (2).

History: 1979 c. 260, 311, 355; 1985 a. 304; 1993 a. 399; 1999 a. 182; 2001 a. 16; 2005 a. 333, 451.

SECTION 4. 5.68 (5) of the statutes is amended to read:

5.68 (5) If Except as provided in sub. (7), if a charge is made for the use of a polling place, the charge shall be paid by the municipality establishing the polling place under s. 5.25 (2) unless the polling place is used to conduct a special election that is called by a unit of government other than the state or the municipality establishing the polling place and the special election is not held concurrently with an election specified in s. 5.02 (5), (18), (21) or (22). In such case the charge shall be paid by the unit of government that calls the special election.

History: 1979 c. 260, 311, 355; 1985 a. 304; 1993 a. 399; 1999 a. 182; 2001 a. 16; 2005 a. 333, 451.

History:

SECTION 5. 5.68 (7) of the statutes is amended to read:

5.68 (7) Any municipality that ~~maintained polling hours beginning later than 7 a.m. prior to April 29, 2006, and that incurs additional costs to adjust its polling hours to begin at 7 a.m. at any election held after April 29, 2006, experiences financial hardship~~ adversely affecting the conduct of an election as a result of a natural disaster or other extraordinary situation may file a claim with the board for reimbursement requesting financial assistance with the payment of those costs. The

PLAIN

strike

any election-related

PLAIN resulting from that situation

claim shall be accompanied by appropriate substantiation of all costs incurred. The board shall audit the claim and, ~~if the board finds that the costs adversely affecting the conduct of an election have been incurred by the municipality, and the costs would not have been incurred but for the requirement to open polling places at 7 a.m. result from a natural disaster or other extraordinary situation, the board shall may~~ ^{strike} ~~may reimburse the municipality for~~ ^{may reimburse the municipality for} ~~reimburse the municipality for those costs or any portion of those costs that the board finds to be justifiable.~~ ^{claimed} ~~No claim is payable under this subsection unless the claim is filed with the board, together with appropriate substantiation, within 60 days following the date on which the costs are incurred.~~ ^{strike}

History: 1979 c. 260, 311, 355; 1985 a. 304; 1993 a. 399; 1999 a. 182; 2001 a. 16; 2005 a. 333, 451.

SECTION 6. 7.03 (1) (b) of the statutes is amended to read:

7.03 (1) (b) ~~Except as provided in par. (bm), any~~ ^{Any} compensation owed shall be paid by the municipality in which the election is held, ~~except as provided in s. 5.68 (3) and par. (bm) and except~~ that any compensation payable to a technician, messenger, tabulator, or member of the board of canvassers who is employed to perform services for the county shall be paid by the county and compensation payable to any messenger or tabulator who is employed to perform services for the state shall be paid by the board.

History: 1973 c. 334 s. 57; 1977 c. 394, 427; 1979 c. 89, 260, 311, 355; 1983 a. 484; 1985 a. 304; 1987 a. 111, 391; 1993 a. 399; 2001 a. 16, 109; 2003 a. 143; 2005 a. 451.

SECTION 7. 7.03 (1) (c) of the statutes is amended to read:

7.03 (1) (c) ~~If~~ ^{Except as provided in s. 5.68 (7),} a central counting location serving more than one municipality is utilized under s. 7.51 (1), the cost of compensation of election officials at the location shall be proportionately divided between the municipalities utilizing the location, ~~except that if all municipalities within a county utilize the location, the compensation shall be paid by the county.~~

History: 1973 c. 334 s. 57; 1977 c. 394, 427; 1979 c. 89, 260, 311, 355; 1983 a. 484; 1985 a. 304; 1987 a. 111, 391; 1993 a. 399; 2001 a. 16, 109; 2003 a. 143; 2005 a. 451.

SECTION 9319. Initial applicability; Government Accountability Board?

1 (1) REIMBURSEMENT FOR EXTRAORDINARY ELECTION-RELATED COSTS. The treatment
2 of sections 5.68 (1), (2), (3), (5), and (7) and 7.03 (1) (b) and (c) of the statutes first
3 applies with respect to elections held on the effective date of this subsection.

4 (END)

Kuesel, Jeffery

To: Dombrowski, Cynthia A - DOA
Subject: RE: BB0481 - Election claims by municipalities

Cynthia,

OK. I understand that you still want to reimburse for the costs of opening the polls earlier than was done before 4/29/06, as well as provide state funding for all unforeseen election-related costs incurred by municipalities.

Jeff

From: Dombrowski, Cynthia A - DOA [mailto:cynthia.dombrowski@wisconsin.gov]
Sent: Tuesday, January 20, 2009 12:01 PM
To: Kuesel, Jeffery
Subject: RE: BB0481 - Election claims by municipalities

OK. I want to be clear though that we do NOT want the program redefined for natural disasters, as drafted in LRB 0572/1. The intent is to keep the current law language plus the expanded scope.

Thanks
Cindy

From: Kuesel, Jeffery [mailto:Jeffery.Kuesel@legis.wisconsin.gov]
Sent: Tuesday, January 20, 2009 11:51 AM
To: Dombrowski, Cynthia A - DOA
Subject: RE: BB0481 - Election claims by municipalities

Cynthia,

I will redraft LRB-0572 to cover all unforeseen election-related costs incurred by municipalities.

Jeff Kuesel

From: Dombrowski, Cynthia A - DOA [mailto:cynthia.dombrowski@wisconsin.gov]
Sent: Tuesday, January 20, 2009 10:56 AM
To: Kuesel, Jeffery
Subject: RE: BB0481 - Election claims by municipalities

85We want the language to be broader than 5.68 (7) to cover any other election related aid a municipality may need, such as help with keying voter registration forms/data during peak times and other unforeseen election related costs.

Does that help?

Cindy

From: Kuesel, Jeffery [mailto:Jeffery.Kuesel@legis.wisconsin.gov]
Sent: Tuesday, January 20, 2009 10:51 AM
To: Dombrowski, Cynthia A - DOA
Subject: BB0481 - Election claims by municipalities

Cynthia,

The above request appears to be very similar to LRB-0572/1. The appropriation under s. 20.511 (1) (b), stats. does not require amendment because it already covers claims by municipalities. The language that controls which claims are covered is in s. 5.68 (7), stats.

Jeff Kuesel



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0572/1 2

JTK:cjs:ph

wanted by Wed 1/21

Stays

DOA:.....Dombrowski, BB0181 - State reimbursement for extraordinary election-related costs

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

D. NOT Gen

- 1 AN ACT...; relating to: state reimbursement for extraordinary election-related
2 costs incurred by municipalities.

certain

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Currently, any municipality that maintained polling hours beginning later than 7 a.m. prior to April 29, 2006, and that incurs additional costs to adjust its polling hours to begin at 7 a.m. at any election held after April 29, 2006, may be reimbursed for those costs in full by filing a claim with the Government Accountability Board. The board audits the claim and must pay those costs that are appropriately substantiated from a sum sufficient appropriation derived from state general purpose revenues.

This bill ~~discontinues~~ this reimbursement program and ~~substitutes~~ a program whereby any municipality that experiences financial hardship as a result of a natural disaster or other extraordinary situation adversely affecting the conduct of an election may file a claim with the Government Accountability Board requesting reimbursement of any election-related costs resulting from that situation. Under the bill, the board audits the claim and may pay the claim or any portion of the claim that the board finds to be justifiable. The claims are paid from a sum sufficient appropriation derived from state general purpose revenues.

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For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

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5.68 (1) The Except as provided in sub. (7), the cost of acquisition of ballot boxes and voting booths, voting machines or electronic voting systems and regular maintenance thereof shall be borne by the municipalities in which the boxes, booths, machines or systems are used.

SECTION 2. 5.68 (7) of the statutes is amended to read:

5.68 (7) Any municipality that maintained polling hours beginning later than 7 a.m. prior to April 29, 2006, and that incurs additional costs to adjust its polling hours to begin at 7 a.m. at any election held after April 29, 2006, experiences financial hardship as a result of a natural disaster or other extraordinary situation or any municipality that incurs unforeseen election-related costs that adversely affects the conduct of an election may file a claim with the board for reimbursement of those any election-related costs resulting from that situation. The claim shall be accompanied by appropriate substantiation of all costs incurred. The board shall audit the claim and, if the board finds that the costs have been incurred by the municipality, and may reimburse the municipality for the costs would not have been incurred but for the requirement to open polling places at 7 a.m., the board shall reimburse the municipality for those costs claimed or any portion of those costs that the board finds to be justifiable. No claim is payable under this subsection unless the claim is filed with the board, together with appropriate substantiation, within 60 days following the date on which the costs are incurred.

SECTION 9319. Initial applicability; Government Accountability Board.

other unforeseen election-related

1

2

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4

(END)

Kuesel, Jeffery

From: Dombrowski, Cynthia A - DOA [cynthia.dombrowski@wisconsin.gov]
Sent: Friday, January 23, 2009 3:00 PM
To: Kuesel, Jeffery
Subject: RE: LRB Draft: 09-0572/2 State reimbursement for election-related costs

Yes, this would be OK. Claims first, other costs next.

Thanks,
Cindy

From: Kuesel, Jeffery [mailto:Jeffery.Kuesel@legis.wisconsin.gov]
Sent: Friday, January 23, 2009 2:59 PM
To: Dombrowski, Cynthia A - DOA
Subject: RE: LRB Draft: 09-0572/2 State reimbursement for election-related costs

Cynthia,
If you convert this to a biennial appropriation, do you want to prioritize the polling hours claims and pay other claims only if there is sufficient money? If the pot of money is limited, it seems the GAB would have to wait until the end of the fiscal biennium to pay claims because they might need to prorate claims payments to fit within available appropriations. I assume this is OK.
Jeff

From: Dombrowski, Cynthia A - DOA [mailto:cynthia.dombrowski@wisconsin.gov]
Sent: Friday, January 23, 2009 9:46 AM
To: Kuesel, Jeffery
Subject: FW: LRB Draft: 09-0572/2 State reimbursement for election-related costs

Hi Jeff -

Can you modify this draft to include an appropriation conversion for this program under 20.511(1)(b) from sum sufficient to biennial?

Thanks!!!

Cindy

From: Frantzen, Jean [mailto:Jean.Frantzen@legis.wisconsin.gov]
Sent: Wednesday, January 21, 2009 11:13 AM
To: Dombrowski, Cynthia A - DOA
Cc: Pawasarat, Jane - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA
Subject: LRB Draft: 09-0572/2 State reimbursement for election-related costs

Following is the PDF version of draft 09-0572/2.

wanted by mon 1/26

DOA:.....Dombrowski, BB0181 - State reimbursement for election-related costs

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

- 1 ^{don't gen.} AN ACT ...; **relating to:** state reimbursement for certain election-related costs
- 2 incurred by municipalities.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Currently, any municipality that maintained polling hours beginning later than 7 a.m. prior to April 29, 2006, and that incurs additional costs to adjust its polling hours to begin at 7 a.m. at any election held after April 29, 2006, may be reimbursed for those costs in full by filing a claim with the Government Accountability Board. The board audits the claim and must pay those costs that are appropriately substantiated from a sum sufficient appropriation derived from state general purpose revenues.

This bill continues this reimbursement program and adds an additional program under which any municipality that experiences unforeseen election-related costs may file a claim with the Government Accountability Board requesting reimbursement of those costs. Under the bill, the board audits the claim and may pay the claim or any portion of the claim. ~~These claims are also paid from the sum sufficient appropriation derived from state general purpose revenues.~~

JWS A

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 5.68 (1) of the statutes is amended to read:

2 5.68 (1) The Except as provided in sub. (7), the cost of acquisition of ballot boxes
3 and voting booths, voting machines or electronic voting systems and regular
4 maintenance thereof shall be borne by the municipalities in which the boxes, booths,
5 machines or systems are used.

6 **SECTION 2.** 5.68 (7) of the statutes is amended to read:

7 5.68 (7) Any municipality that maintained polling hours beginning later than
8 7 a.m. prior to April 29, 2006, and that incurs additional costs to adjust its polling
9 hours to begin at 7 a.m. at any election held after April 29, 2006, or any municipality
10 that incurs unforeseen election-related costs may file a claim with the board for
11 reimbursement of those costs. The claim shall be accompanied by appropriate
12 substantiation of all costs incurred. The board shall audit the claim and, if the board
13 finds that the costs have been incurred by the municipality, and the shall reimburse
14 the municipality for those costs that would not have been incurred but for the
15 requirement to open polling places at 7 a.m., ~~the board shall~~ and may reimburse the
16 municipality for those other unforeseen election-related costs or any portion of those
17 costs. No claim is payable under this subsection unless the claim is filed with the
18 board, together with appropriate substantiation, within 60 days following the date
19 on which the costs are incurred.

20 **SECTION 9319. Initial applicability; Government Accountability Board.**

Ins 2-19

4 (END)

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0572/3ins
JTK.....

INS A:

NOT However, the bill deletes the current sum sufficient appropriation for payment of claims and substitutes a sum certain appropriation from general purpose revenues for this purpose. Under the bill, if there are insufficient moneys appropriated to pay all claims that are approved in any fiscal biennium, the board prorates payments, according first priority to payment of claims relating to polling place hours, and then, if sufficient moneys are available, to payment of other claims.

INS 2-17:

- > In each fiscal year, the board shall prescribe a deadline for filing of claims
> under this subsection. If in any fiscal biennium there are insufficient moneys
appropriated under s. 20.511 (1) (b) to pay all approved claims filed in that fiscal
biennium relating to polling place hours, the board shall prorate the claims
payments and pay to each claimant the prorated share of the approved amount of its
> claim. After making those payments, the board shall pay all other approved claims
> under this subsection. If in any fiscal biennium, there are insufficient moneys
appropriated under s. 20.511 (1) (b) to pay all other approved claims filed in that
fiscal biennium, the board shall similarly prorate the claims payments and pay to
each claimant the prorated share of the approved amount of its claim

INS 2-19:

- SECTION 1.** ^X 20.511 (1) (b) of the statutes is amended to read:
- > 20.511 (1) (b) *Election-related cost reimbursement.* ^{strike extra space} ~~A sum sufficient~~
Biennially, the amounts in the schedule to reimburse municipalities for claims
allowed under s. 5.68 (7).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.✓

Kuesel, Jeffery

From: Dombrowski, Cynthia A - DOA [cynthia.dombrowski@wisconsin.gov]
Sent: Tuesday, January 27, 2009 11:12 AM
To: Kuesel, Jeffery
Subject: RE: GAB Draft 0572/3

Also, keep the appropriation biennial.

Thanks,
Cindy

From: Dombrowski, Cynthia A - DOA
Sent: Tuesday, January 27, 2009 11:01 AM
To: Kuesel, Jeffery - LEGIS
Subject: GAB Draft 0572/3

Hi Jeff -

Quick change, I hope, after a change in plans. For this draft, the only change we want now is to have the appropriation language changed to allow election related operations costs at GAB added. The other changes to 5.68(7) should be removed.

Let me know if you have any questions.

Cindy

01/27/2009

wanted Wed 1/28

DOA:.....Dombrowski, BB0181 - State reimbursement for election-related costs; GAB general program operations

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

Do NOT Gen

- 1 AN ACT...; relating to: state reimbursement for certain election-related costs
- 2 incurred by municipalities.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Currently, any municipality that maintained polling hours beginning later than 7 a.m. prior to April 29, 2006, and that incurs additional costs to adjust its polling hours to begin at 7 a.m. at any election held after April 29, 2006, may be reimbursed for those costs in full by filing a claim with the Government Accountability Board. The board audits the claim and must pay those costs that are appropriately substantiated from a sum sufficient appropriation derived from state general purpose revenues.

This bill continues this reimbursement program and adds an additional program under which any municipality that experiences unforeseen election-related costs may file a claim with the Government Accountability Board requesting reimbursement of those costs. Under the bill, the board audits the claim and may pay the claim or any portion of the claim. However, the bill deletes the current sum sufficient appropriation for payment of claims and substitutes a sum certain appropriation from general purpose revenues for this purpose. Under the bill, if there are insufficient moneys appropriated to pay all claims that are approved

that the Government Accountability Board may use

The bill also permits the board to use the new appropriation to pay claims of municipalities for other election-related costs or to finance general program operations of the board. Under the bill, the board may pay claims in whole or in part.

in any fiscal biennium, the board prorates payments, according first priority to payment of claims relating to polling place hours, and then, if sufficient moneys are available, to payment of other claims.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 5.68 (1) of the statutes is amended to read:

2 5.68 (1) The Except as provided in sub. (7), the cost of acquisition of ballot boxes
3 and voting booths, voting machines or electronic voting systems and regular
4 maintenance thereof shall be borne by the municipalities in which the boxes, booths,
5 machines or systems are used.

6 **SECTION 2.** 5.68 (7) of the statutes is amended to read:

7 5.68 (7) Any municipality that maintained polling hours beginning later than
8 7 a.m. prior to April 29, 2006, and that incurs additional costs to adjust its polling
9 hours to begin at 7 a.m. at any election held after April 29, 2006, or any municipality

10 that incurs ^{other} unforeseen election-related costs may file a claim with the board for
11 reimbursement of those costs. The claim shall be accompanied by appropriate

12 substantiation of all costs incurred. The board shall audit the claim and, if the board
13 finds that the costs have been incurred by the municipality, and the shall reimburse

14 ~~the municipality for those costs that would not have been incurred but for the~~
15 ~~requirement to open polling places at 7 a.m., the board shall and may reimburse the~~

16 municipality for those other unforeseen election-related costs or any portion of those
17 costs. In each fiscal year, the board shall prescribe a deadline for filing of claims

18 under this subsection. If in any fiscal biennium there are insufficient moneys
19 appropriated under s. 20.511 (1) (b) to pay all approved claims filed in that fiscal

1 biennium relating to polling place hours, the board shall prorate the claims
2 payments and pay to each claimant the prorated share of the approved amount of its
3 claim. After making those payments, the board shall pay all other approved claims
4 under this subsection. If in any fiscal biennium there are insufficient moneys
5 appropriated under s. 20.511 (1) (b) to pay all other approved claims filed in that
6 fiscal biennium, the board shall similarly prorate the claims payments and pay to
7 each claimant the prorated share of the approved amount of its claim. No claim is
8 payable under this subsection unless the claim is filed with the board, together with
9 appropriate substantiation, within 60 days following the date on which the costs are
10 incurred.

11 SECTION 3. 20.511 (1) (b) of the statutes is amended to read:

12 20.511 (1) (b) *Election-related cost reimbursement.* A sum sufficient
13 *Biennially, the amounts in the schedule for reimbursement of*
~~Biennially, the amounts in the schedule~~ to reimburse municipalities for claims
14 allowed under s. 5.68 (7). *and for the general program operations of*
the board

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15 SECTION 9319. Initial applicability; Government Accountability Board.

16 (1) REIMBURSEMENT FOR EXTRAORDINARY ELECTION-RELATED COSTS. The treatment
17 of section 5.68 (1) and (7) *and 20.511 (1) (b)* of the statutes first applies with respect to elections held
18 on the effective date of this subsection.

19 (END)

*claims filed
in connection
with*

Kuesel, Jeffery

From: Dombrowski, Cynthia A - DOA [cynthia.dombrowski@wisconsin.gov]
Sent: Thursday, January 29, 2009 12:17 PM
To: Kuesel, Jeffery
Subject: FW: LRB Draft: 09-0572/4 State reimbursement for election-related costs; GAB general program operations
Attachments: 09-0572/4.pdf

Hi Jeff -

One minor change:

On page 2, lines 9 and 10 ... delete: "or any municipality that incurs other election-related costs"

Thanks,
Cindy

From: Henry, Patty [mailto:Patty.Henry@legis.wisconsin.gov]
Sent: Wednesday, January 28, 2009 3:02 PM
To: Dombrowski, Cynthia A - DOA
Cc: Pawasarat, Jane - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA
Subject: LRB Draft: 09-0572/4 State reimbursement for election-related costs; GAB general program operations

Following is the PDF version of draft 09-0572/4.

2009 DRAFTING REQUEST**Bill**Received: **10/20/2008**Received By: **jkuesel**Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 6-5878**By/Representing: **Dombrowski**This file may be shown to any legislator: **NO**Drafter: **jkuesel**

May Contact:

Addl. Drafters:

Subject: **Elections - miscellaneous**

Extra Copies:

Submit via email: **NO****Pre Topic:**

DOA:.....Dombrowski, BB0181 -

Topic:

State reimbursement for election-related costs; GAB general program operations

Instructions:

Per attached, 10/17/08.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 10/22/2008	csicilia 10/28/2008					State
/1			phenry 10/28/2008		sbasford 10/28/2008		State
/2	jkuesel 01/20/2009	csicilia 01/21/2009	jfrantze 01/21/2009		sbasford 01/21/2009		State
/3	jkuesel 01/23/2009	nnatzke 01/26/2009	rschluet 01/26/2009		mbarman 01/26/2009		State
/4	jkuesel 01/28/2009	csicilia 01/28/2009	phenry 01/28/2009		lparisi 01/28/2009		

1/5 jkuesel 1/29/08 1/29/08 1/29/08 1/29/08 1/29/08 1/29/08 1/29/08

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

phenry _____
01/28/2009 _____

lparisi
01/28/2009

FE Sent For:

<END>

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/3	jkuesel 01/23/2009	nmatzke 01/26/2009	rschluet 01/26/2009		mbarman 01/26/2009		
/4	jkuesel 1/28/09	1/4 js 1/28/09	1/28/09		1/28/09		ph/no

FE Sent For:

<END>

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Topic:

State reimbursement for election-related costs

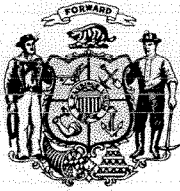
Instructions:

Per attached, 10/17/08.

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/3	jkuesel 01/23/2009	nmatzke 01/26/2009	rschluet 01/26/2009		mbarman 01/26/2009		

1/4 jkuesel
FE Sent For: 1/28/09



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0572/4

JTK:cjs:ph

Wanted THU 1/29 - PM

DOA:.....Dombrowski, BB0181 - State reimbursement for election-related costs; GAB general program operations

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

NOT
Referred

stays

1

2

AN ACT ...; relating to: state reimbursement for certain election-related costs incurred by municipalities; and financing of the general program operations of the Government Accountability Board

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Currently, any municipality that maintained polling hours beginning later than 7 a.m. prior to April 29, 2006, and that incurs additional costs to adjust its polling hours to begin at 7 a.m. at any election held after April 29, 2006, may be reimbursed for those costs in full by filing a claim with the Government Accountability Board. The board audits the claim and must pay those costs that are appropriately substantiated from a sum sufficient appropriation derived from state general purpose revenues.

This bill deletes the current sum sufficient appropriation for payment of claims and substitutes a sum certain appropriation from general purpose revenues that the Government Accountability Board may use for this purpose. The bill also permits the board to use the new appropriation to pay claims of municipalities for other election-related costs or to finance the general program operations of the board.

Under the bill, the board may pay claims in whole or in part.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 5.68 (1) of the statutes is amended to read:

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7 5.68 (7) Any municipality that maintained polling hours beginning later than
8 7 a.m. prior to April 29, 2006, and that incurs additional costs to adjust its polling
9 hours to begin at 7 a.m. at any election held after April 29, 2006, ~~or any municipality~~
10 ~~that incurs other election-related costs~~ may file a claim with the board for
11 reimbursement of those costs. The claim shall be accompanied by appropriate
12 substantiation of all costs incurred. The board shall audit the claim and, if the board
13 finds that the costs have been incurred by the municipality, ~~and the costs would not~~
14 ~~have been incurred but for the requirement to open polling places at 7 a.m.,~~ the board
15 shall may reimburse the municipality for those costs or any portion of those costs.

16 No claim is payable under this subsection unless the claim is filed with the board,
17 together with appropriate substantiation, within 60 days following the date on which
18 the costs are incurred.

19 **SECTION 3.** 20.511 (1) (b) of the statutes is amended to read:

20 20.511 (1) (b) Election-related cost reimbursement; general program
21 operations. ~~A sum sufficient to reimburse~~ Biennially, the amounts in the schedule

1 for reimbursement of municipalities for claims allowed under s. 5.68 (7) and for the
2 general program operations of the board.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 9319. Initial applicability; Government Accountability Board.**

4 (1) ~~REIMBURSEMENT FOR EXTRAORDINARY ELECTION-RELATED COSTS~~ *POLLING EXPENSES; GENERAL PROGRAM OPERATIONS* The treatment
5 of sections 5.68 (1) and (7) and 20.511 (1) (b) of the statutes first applies with respect
6 to claims filed in connection with elections held on the effective date of this
7 subsection.

8 (END)



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0572/5

JTK:cjs:ph

DOA:.....Dombrowski, BB0181 – State reimbursement for polling costs; GAB
general program operations

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** state reimbursement for certain polling costs incurred by
2 municipalities and financing of the general program operations of the
3 Government Accountability Board.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Currently, any municipality that maintained polling hours beginning later than 7 a.m. prior to April 29, 2006, and that incurs additional costs to adjust its polling hours to begin at 7 a.m. at any election held after April 29, 2006, may be reimbursed for those costs in full by filing a claim with the Government Accountability Board. The board audits the claim and must pay those costs that are appropriately substantiated from a sum sufficient appropriation derived from state general purpose revenues.

This bill deletes the current sum sufficient appropriation for payment of claims and substitutes a sum certain appropriation from general purpose revenues that the Government Accountability Board may use for this purpose. Under the bill, the board may pay claims in whole or in part. The bill also permits the board to use the new appropriation to finance the general program operations of the board.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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8 7 a.m. prior to April 29, 2006, and that incurs additional costs to adjust its polling
9 hours to begin at 7 a.m. at any election held after April 29, 2006, may file a claim with
10 the board for reimbursement of those costs. The claim shall be accompanied by
11 appropriate substantiation of all costs incurred. The board shall audit the claim and,
12 if the board finds that the costs have been incurred by the municipality, and the costs
13 would not have been incurred but for the requirement to open polling places at 7 a.m.,
14 the board ~~shall~~ may reimburse the municipality for those costs or any portion of those
15 costs. No claim is payable under this subsection unless the claim is filed with the
16 board, together with appropriate substantiation, within 60 days following the date
17 on which the costs are incurred.

18 **SECTION 3.** 20.511 (1) (b) of the statutes is amended to read:

19 20.511 (1) (b) *Election-related cost reimbursement; general program*
20 operations. ~~A sum sufficient to reimburse~~ Biennially, the amounts in the schedule

1 for reimbursement of municipalities for claims allowed under s. 5.68 (7) and for the
2 general program operations of the board.

 ***NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 9319. Initial applicability; Government Accountability Board.**

4 (1) REIMBURSEMENT FOR POLLING EXPENSES; GENERAL PROGRAM OPERATIONS. The
5 treatment of sections 5.68 (1) and (7) and 20.511 (1) (b) of the statutes first applies
6 with respect to claims filed in connection with elections held on the effective date of
7 this subsection.

8 **(END)**